IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIFTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.23235 of 2004

Between:

Bhagawan Sri Satya Sai Baba (E.M) Aided Elementary School, Gorakashan Peta, Rajahmundry,
East Godavari District, rep. by its Correspondent.

..... PETITIONER

AND

1 State of Andhra Pradesh, rep. by its Secretary to Government,
School Education Department, Secretariat, Saifabad, Hyderabad.
2 The Director of School Education, Andhra Pradesh, Hyderabad.
3 The District Educational Officer, Kakinada, East Godavari District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus to declare as illegal, arbitrary, the action of the respondents in not releasing and paying the Maintenance Grant in terms of G.O.Ms.No.320, Education Department, dated 16-9-1994 and issue a consequential direction to the respondents to pay the Maintenance Grant.

Counsel for the Petitioner: MR.B.P.RAJU

Counsel for the Respondents: GP FOR SCHOOL EDUCATION

The Court at the stage of admission made the following:

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ORDER:

Aggrieved by the action of the respondents in not releasing the maintenance grant to the petitioner-School in terms of G.O.Ms.No.320, Education Department, dated 16.09.1994 in spite of submitting proposal, the present writ petition is filed.

Heard the learned counsel for petitioner and learned Government Pleader for School Education. Both the counsel agreed to dispose of the writ petition at the stage of admission.

The petitioner-School claims to be private aided institution and as such, the school is entitled to maintenance grant in terms of G.O.Ms.No.320 dated 16-09-1994. The petitioner states that the proposals for grant of maintenance was submitted to the third respondent, but no action has been taken so far. Hence, this writ petition.

Having regard to the averments in the writ affidavit and since the proposals submitted by the petitioner are pending with the respondents, I am not inclined to decide the merits of the case. However, I deem it appropriate to dispose of the writ petition with a direction to the respondents to consider the proposal, if any, submitted by the petitioner-School seeking release of Maintenance Grant, and pass appropriate orders in accordance with the Government Orders or the relevant Rules in force governing the subject.

With the above observation, the writ petition is disposed of at the stage of admission.

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(N.V. RAMANA, J)

Date: 15.12.2004

Nsr/Bsc

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Secretary to Government,
School Education Department, State of Andhra Pradesh, Secretariat,

Saifabad, Hyderabad.
2 The Director of School Education, Andhra Pradesh, Hyderabad.
3 The District Educational Officer, Kakinada, East Godavari District.

4 Two CCs to GP for School Education, High Court of AP, Hyderabad

(OUT)

5 Two CD copies.